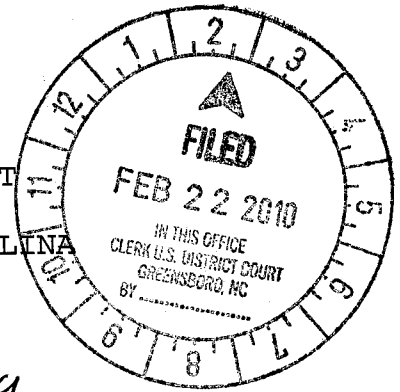


IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA :

v. :

NATHANIEL LEON PHILLIPS :

1:10CR 59 -1

The Grand Jury charges:

COUNT ONE

On or about April 3, 2008, in the County of Moore, in the Middle District of North Carolina, NATHANIEL LEON PHILLIPS did knowingly possess materials that contained images of child pornography, as defined in Title 18, United States Code, Section 2256(8), that had been mailed, shipped and transported in interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in interstate and foreign commerce by any means, including by computer; in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2).

COUNT TWO

On or about November 3, 2009, in the County of Moore, in the Middle District of North Carolina, NATHANIEL LEON PHILLIPS did knowingly possess materials that contained images of child pornography, as defined in Title 18, United States Code, Section 2256(8), that had been mailed, shipped and transported in interstate and foreign commerce by any means, including by

computer, and that was produced using materials that had been mailed, shipped and transported in interstate and foreign commerce by any means, including by computer; in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2).

#### COUNT THREE

From on or about September 17, through on or about September 19, 2009, in the County of Moore, in the Middle District of North Carolina, NATHANIEL LEON PHILLIPS knowingly transported, using any means and facility in interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, any child pornography, as defined in Title 18, United States Code, Section 2256(8)(A); in violation of Title 18, United States Code, Section 2252A(a)(1) and (b)(1).

#### FORFEITURE ALLEGATION

Upon conviction of any of the offenses alleged in Counts One, Two and Three above, the defendant, NATHANIEL LEON PHILLIPS, shall forfeit to the United States (1) any visual depiction described in Title 18, United States Code, Sections 2252A, and any book, magazine, periodical, film, videotape or other matter which contains any such visual depiction, which was mailed, shipped or transported in violation of Title 18, United States Code, Section 2252A, and (2) any property, real or personal, used or intended to be used to commit or promote the commission of such offense or any

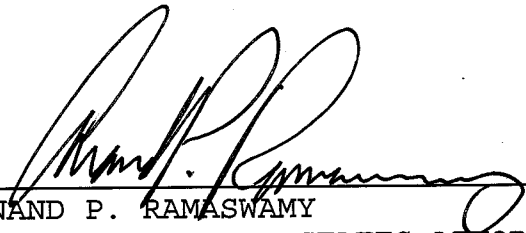
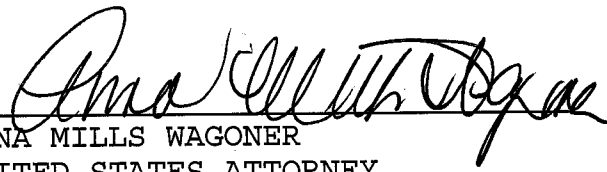
property traceable to such property, including but not limited to the following:

- a. One PlayStation Portable (PSP) handheld game console, serial number PP108720909-PSP1001;
- b. One black, custom-made tower-style computer, serial number AMDBBODT 252.40;
- c. One Quantum Fireball hard drive, serial number 345813134398;
- d. One IBM hard drive, serial number WFGC3106;
- e. One Simple Tech flash drive, serial number 0604516556;
- f. One 256MB flash drive, gray and black in color, serial number JDS25640520H;
- g. One NEO 128MB flash drive;
- h. One Gateway laptop computer, serial number BS400091449;
- i. Fifty-eight (58) 'floppy disk' 3-1/2 inch storage disks, of various colors;
- j. Twenty-three (23) compact disks, found in a nylon case;
- k. One Dell laptop computer, model XPSM 140 serial number 6BJQN91.

All in accordance with Title 18, United States Code, Section 2253(a)(1) and (a)(3), and Rule 32.2(a), Federal Rules of Criminal Procedure.

A TRUE BILL:

FOREPERSON

  
ANAND P. RAMASWAMY  
ASSISTANT UNITED STATES ATTORNEY  
ANNA MILLS WAGONER  
UNITED STATES ATTORNEY